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Hon. Philip M. Halpern
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

VIA ECF

Re: *Moody, et al. v. Empire Hotel Development, Inc. d/b/a Hyatt Place Poughkeepsie, et al.*
Case No. 7:20-cv-2203-PMH

Dear Judge Halpern:

Defendants Hyatt Corporation, Hyatt Place Franchising, LLC, Hyatt Hotels Corporation (“collectively “**Hyatt**”), Empire Hotel Development, Inc. (“**Empire**”), and Erfan Khan (“**Khan**” and together with Hyatt and Empire, the “**Defendants**”), pursuant to Section 1 (B) and (C) of this Court’s Individual Practices in Civil Cases, respectfully submit this letter motion requesting a one-business day extension to the pending summary judgment deadline for service on Plaintiffs of Defendants’ joint Rule 56.1 statement to allow the parties to continue engaging in ongoing settlement discussions facilitated by Magistrate Judge Krause.

On November 24, 2021, the Court issued an order setting forth the following pre-motion deadlines with respect to Defendants’ anticipated motion for summary judgment:

- **January 14, 2022:** Defendants to serve a single Rule 56.1 Statement upon Plaintiffs.
- **January 28, 2022:** Plaintiffs to serve responses to Defendants’ Rule 56.1 Statement.
- **February 4, 2022:** Defendants to file and serve a single pre-motion letter together with the single document representing the Rule 56.1 Statement with responses.
- **February 11, 2022:** Plaintiffs to file a response to Defendants’ pre-motion letter.
- **February 15, 2022:** Case management conference

On January 12, 2022, the parties attended a remote judicial settlement conference before Magistrate Judge Krause that began at 2:15 pm EST and ended at approximately 6 pm EST. On January 13, 2022, Magistrate Judge Krause extended the deadline for Defendants’ service of the joint Rule 56.1 statement to Friday, January 21. The parties continue to engage in settlement discussions, and Defendants will be making a counter-offer to Plaintiffs’ latest settlement demand by no later than tomorrow, January 21. It would be helpful to the parties to have this upcoming

Application granted, marked peremptorily against defendants. The time for defendants to serve the Rule 56.1 Statement is extended to January 24, 2022 at 12:00 p.m. There will be no further extensions of this deadline.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Philip M. Halpern", written over a horizontal line.

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
January 21, 2022

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weekend to continue to try to settle this matter. Accordingly, Defendants respectfully request that they be given until Monday, January 24, to serve their joint Rule 56.1 statement on Plaintiffs. All other dates in Magistrate Krause's January 13, 2022 Order would remain the same (Plaintiffs' response to Rule 56.1 statement due February 4; Defendants single pre-motion letter due February 7; Plaintiffs' response to the pre-motion letter due February 11; status conference on February 15). Plaintiffs' counsel do not consent to the extension.

We thank the Court for its time and consideration.

Respectfully submitted,

/s/ Amardeep K. Bhari
Counsel for Hyatt

/s/ Sean Kemp
Counsel for Empire and Erfan Khan

cc All counsel of record (via ECF)